

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE: Patrick A. McGee a/k/a Patrick
Aaron McGee; Lisa A. McGee a/k/a Lisa
Anne McGee

Debtor(s),

Chapter 7

Case No. 15-40778

Judge Donald R. Cassling

NOTICE OF MOTION

TO: SEE ATTACHED ADDRESSES

PLEASE TAKE NOTICE THAT ON January 8, 2016 at 10:30 AM, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Donald R. Cassling, U.S. Bankruptcy Judge, Kane County Courthouse, in Room 240, 100 South 3rd Street, Geneva Illinois and shall then and there present the attached Motion and at which you may appear if you so desire.

CERTIFICATION

I, the undersigned Attorney, Certify that I served a copy of this Notice to the Addresses attached by electronic notice through ECF or by depositing the same at the U.S. Mail at 1 North Dearborn, Chicago, Illinois 60602 at 5:00 P.M. on December 21, 2015, with proper postage prepaid.

Pierce & Associates, P.C.

*THESE DOCUMENTS ARE AN
ATTEMPT TO COLLECT A DEBT AND
ANY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE*

/s/ Dana O'Brien
Dana O'Brien
ARDC# 6256415
1 N. Dearborn St. Suite 1300
Chicago, IL 60602
(312) 346-9088

NOTICE OF MOTION ADDRESSES

To Trustee:

Frank J Kokoszka

Kokoszka & Janczur, P.C.

122 South Michigan Ave

Suite 1070

Chicago, IL 60603-6270 **by Electronic Notice through ECF**

Patrick A. McGee a/k/a Patrick Aaron McGee; Lisa A. McGee a/k/a Lisa Anne McGee

23 W 310 Westchester Ct

Glen Ellyn, IL 60137

by U.S. Mail

To Attorney:

Charles L. Magerski

Sulaiman Law Group, LTD

900 Jorie Boulevard

Suite 150

Oak Brook, IL 60523

by Electronic Notice through ECF

Pierce & Associates, P.C.

Attorney For: Creditor

1 N. Dearborn St. Suite 1300

Chicago, IL 60602

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MOTION TO MODIFY THE AUTOMATIC STAY

NOW COMES Seterus, Inc., as authorized servicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America, by and through its attorneys, Pierce & Associates, P.C., and requests that the Automatic Stay heretofore entered on the property located at 23 W 310 Westchester Ct., Glen Ellyn, IL 60137, be modified, stating as follows:

1. On November 30, 2015, the above captioned Chapter 7 was filed.
2. Seterus, Inc., as authorized servicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America services the first mortgage lien on the property located at 23 W 310 Westchester Ct., Glen Ellyn, IL 60137.
3. The debt is based on an August 31, 2007, Mortgage and Note in the original sum of \$299,000.00.
4. As of December 18, 2015 the funds necessary to pay off Seterus, Inc., as authorized servicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America on the above captioned account were approximately \$290,443.58. Additional interest

advances and charges may have accrued under the security instrument through the presentment of this motion. The debtors' schedules list the fair market value of said property at \$260,000.00. According to the debtors' schedules, there are other liens on the property totaling \$27,056.00.

5. The account is currently due and owing to Seterus, Inc., as authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America for the June 1, 2015 current mortgage payment and those thereafter, plus reasonable attorney fees and costs.
6. The debtors have no equity in the property located at 23 W 310 Westchester Ct., Glen Ellyn, IL 60137, for the benefit of unsecured creditors.
7. Seterus, Inc., as authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America continues to be injured each day it remains bound by the Automatic Stay.
8. Seterus, Inc., as authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America is not adequately protected.
9. The property located at 23 W 310 Westchester Ct., Glen Ellyn, IL 60137 is not
10. No cause exists to delay the enforcement and implementation of relief and Bankruptcy Rule 4001(a)(3) should be waived.

WHEREFORE, YOUR MOVANT PRAYS that the Automatic Stay be modified and that Bankruptcy Rule 4001(a)(3) be waived as not applicable, and such other relief as this Court deems just.

Seterus, Inc., as authorized
subservicer for Federal
National Mortgage
Association ("Fannie Mae"), a
corporation organized and
existing under the laws of the
United States of America

/s/ Dana O'Brien
Dana O'Brien
ARDC# 6256415

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